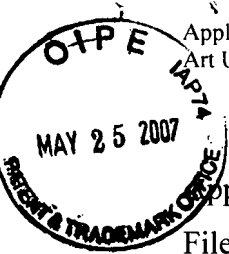


PAC



Application/Control Number: 10/792,354
Art Unit: 3671

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/792,354

Filed: Mar. 2, 2004

Applicant: Max Kadiu

Title: Shoring System

Examiner: Gary Hartmann

Cupertino, May 22, 2007

Mail Stop PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Renewed Petition under 37 CFR 1.137(b)

Dear Sir or Madam:

This is a request for reconsideration of the decision on the petition, filed August 22, under 37 CFR 1.137(b) to revive the above-identified application.

The above-referenced petition is Dismissed by the Office of Petitions on May 17, 2007 under insufficient remuneration submitted by the Petitioner. Enclosed a check for the missing balance submitted by Petitioner for reconsidering the Decision of the Office.

Very respectfully,

Max Kadiu

The Applicant

Tel: 408-257-0604; Fax: 408-257-9199; E-mail: mkadiu@msn.com

Cc: Copy of the Letter of Office of Petitions.

Adjustment date: 05/29/2007 MGEEREM1
08/25/2006 HOUTEMAI 00000037 10792354
01 FC:1999 -700.00 OP

05/29/2007 MGEEREM1 00000002 10792354
01 FC:2453 750.00 OP

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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www.uspto.gov



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CUPERTINO, CA 95014

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MAY 17 2007

OFFICE OF PETITIONS

In re Application of
Max Kadiu
Application No. 10/792,354
Filed: March 2, 2004
Attorney Docket No.

ON PETITION

This is a decision on the petition, filed August 22, 2006, under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed December 12, 2005, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 13, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) (2).

The fee for a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is \$750 (small entity). Petitioner submitted \$700 with the petition on August 22, 2006. Therefore, this application cannot be revived until the \$50 balance is received.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By facsimile: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at
(571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions